



General Assembly

January Session, 2001

Amendment

LCO No. 7534

Offered by:

REP. HARKINS, 120th Dist.

REP. DICKMAN, 132nd Dist.

To: Subst. House Bill No. 5832

File No. 566

Cal. No. 386

***"AN ACT CONCERNING DAMAGES FOR THE UNLAWFUL
KILLING OR INJURING OF COMPANION ANIMALS."***

1 After line 41, insert the following:

2 "Sec. 3. Section 22-358 of the general statutes is repealed and the
3 following is substituted in lieu thereof:

4 (a) Any owner or the agent of any owner of any domestic animal or
5 poultry, or the Chief Animal Control Officer or any animal control
6 officer or any municipal animal control officer, regional animal control
7 officer or any police officer or state policeman, may kill any dog which
8 [he] such officer observes pursuing or worrying any such domestic
9 animal or poultry.

10 (b) Any person who is bitten, or who shows visible evidence of
11 attack by a dog, cat or other animal when such person is not upon the
12 premises of the owner or keeper of such dog, cat or other animal may
13 kill such dog, cat or other animal during such attack. Such person shall

14 make complaint concerning the circumstances of the attack to the Chief
15 Animal Control Officer, any animal control officer or the municipal
16 animal control officer or regional animal control officer of the town
17 wherein such dog, cat or other animal is owned or kept. Any such
18 officer to whom such complaint is made shall immediately make an
19 investigation of such complaint.

20 (c) If such officer finds that the complainant has been bitten or
21 attacked by such dog, cat or other animal when the complainant was
22 not upon the premises of the owner or keeper of such dog, cat or other
23 animal the officer shall quarantine such dog, cat or other animal in a
24 public pound or order the owner or keeper to quarantine it in a
25 veterinary hospital, kennel or other building or enclosure approved by
26 the commissioner for such purpose. When any dog, cat or other animal
27 has bitten a person on the premises of the owner or keeper of such
28 dog, cat or other animal, the Chief Animal Control Officer, any animal
29 control officer, any municipal animal control officer or regional animal
30 control officer may quarantine such dog, cat or other animal on the
31 premises of the owner or keeper of such dog, cat or other animal. The
32 commissioner, the Chief Animal Control Officer, any animal control
33 officer, any municipal animal control officer or any regional animal
34 control officer may make any order concerning the restraint or
35 disposal of any biting dog, cat or other animal as the commissioner or
36 such officer deems necessary. Notice of any such order shall be given
37 to the person bitten by such dog, cat or other animal within twenty-
38 four hours. The owner shall pay five dollars per day for the board of
39 any such dog, cat or other animal while it is quarantined in a public
40 pound in addition to any other legal fees that may be due. On the
41 fourteenth day of such quarantine the dog, cat or other animal shall be
42 examined by the commissioner or someone designated by the
43 commissioner to determine whether such quarantine shall be
44 continued or removed. Whenever any quarantine is ordered under the
45 provisions of this section, notice thereof shall be given to the
46 commissioner and to the person bitten or attacked by such dog, cat or
47 other animal within twenty-four hours. Any owner or keeper of such

48 dog, cat or other animal who fails to comply with such order shall be
49 fined not more than two hundred fifty dollars or imprisoned not more
50 than thirty days or both. If an owner or keeper fails to comply with a
51 quarantine or restraining order made pursuant to this subsection, the
52 Chief Animal Control Officer, any animal control officer, any
53 municipal animal control officer or regional animal control officer may
54 seize the dog, cat or other animal to insure such compliance and the
55 owner or keeper shall be responsible for any expenses resulting from
56 such seizure. Any person aggrieved by an order of any municipal
57 animal control officer, the Chief Animal Control Officer, any animal
58 control officer or any regional animal control officer may request a
59 hearing before the commissioner within fourteen days of the issuance
60 of such order. After such hearing, the commissioner may affirm,
61 modify or revoke such order as the commissioner deems proper. Any
62 dog owned by a police agency of the state or any of its political
63 subdivisions is exempt from the provisions of this subsection when
64 such dog is under the direct supervision, care and control of an
65 assigned police officer, has been vaccinated annually and is subject to
66 routine veterinary care.

67 (d) Any dog, while actually worrying or pursuing deer, may be
68 killed by the Chief Animal Control Officer or an animal control officer
69 or by a conservation officer or special conservation officer appointed
70 by the Commissioner of Environmental Protection, or by any police
71 officer or state policeman. The owner or keeper of any dog found
72 worrying or pursuing a deer shall be fined not less than twenty-five
73 dollars nor more than two hundred dollars or imprisoned not more
74 than sixty days or both.

75 (e) Any person who kills any dog, cat or other animal in accordance
76 with the provisions of this section shall not be held criminally or civilly
77 liable therefor.

78 (f) The owner of any dog, cat or other animal which has bitten or
79 attacked a person and has been quarantined pursuant to subsection (c)
80 of this section may authorize the humane euthanization of such dog,

81 cat or other animal by a licensed veterinarian at any time before the
82 end of the fourteenth day of such quarantine. Any such dog, cat or
83 other animal so euthanized before the end of the fourteenth day of
84 quarantine shall be examined for rabies by the Connecticut
85 Department of Public Health virology laboratory or any other
86 laboratory authorized by the Department of Public Health to perform
87 rabies examinations. The veterinarian performing the euthanasia shall
88 be responsible for ensuring that the head of the euthanized animal is
89 delivered by [him or his] such veterinarian or such veterinarian's
90 designated agent within forty-eight hours to an appropriate laboratory
91 designated by said department for rabies examination.

92 (g) The provisions of subsections (c) and (f) of this section shall
93 apply to any dog that is the subject of three complaints made to either
94 a regional or municipal animal control officer concerning such dog's
95 vicious disposition."